IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

NO	D.s 5:14-CT-3039-FL; 5:14-CT-3147-FL; 5:14-CT-3273-FL	
RONALD MCCLARY,)	
Plaintiff,))	
V.)	ORDER
•)	ORDER
JOSEPH LIGHTSEY, MITCHELL LAWSON, NURSE HENDERSON,)	
and NURSE SIERRA,)	
Defendants.	<i>)</i>)	

The matter comes before the court on plaintiff's response to the court's February 13, 2015, order directing him to particularize his complaint. Also before the court is defendant Joseph Lightsey's motion for an extension of time to file an answer to plaintiff's second particularized complaint (DE 49) and plaintiff's motion to compel the appearance of defendants (DE 52), which the court will construe as a motion to expedite.

The court begins with plaintiff's response to its February 13, 2015 order. The court finds that plaintiff is ALLOWED to proceed with his action against defendants Joseph Lightsey, Mitchell Lawson, Nurse Henderson, and Nurse Sierra.¹ The Clerk of Court is DIRECTED to proceed in accordance with standing order 14-SO-02 which governs service of process in state prisoner civil

¹ The court notes that plaintiff filed a letter regarding the exhaustion of his administrative remedies pursuant to 42 U.S.C. § 1997e(a), on February 20, 2015. The court declines to address the exhaustion issue *sua sponte*. Rather, defendants are free to raise the issue as an affirmative defense.

rights cases. In the event it become necessary, the court DIRECTS the United States Marshal Service to make service pursuant to 28 U.S.C. § 1915(d).

The court now turns to defendant Lightsey's motion for an extension of time. For good cause shown, defendant Lightsey's motion (DE 49) is GRANTED, and defendant Lightsey's answer now is due within 45 days of this court's order.

Finally, the court addresses plaintiff's motion to expedite. As it has done to date, the court plans to consider this case as expeditiously as possible, consistent with the court's docket. Accordingly, plaintiff's motion to expedite (DE 52) is DENIED.

SO ORDERED, this the 11th day of March, 2015.

LOUISE W. FLANAGAN United States District Judge

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